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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,863	09/19/2001	Marian Valerie Underwood	GE-07053	9918

28581 7590 12/16/2003

DUANE MORRIS LLP  
100 COLLEGE ROAD WEST, SUITE 100  
PRINCETON, NJ 08540-6604

EXAMINER
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TANG, KUO LIANG J

ART UNIT	PAPER NUMBER
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2122

DATE MAILED: 12/16/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

09/955,863

Applicant(s)

UNDERWOOD ET AL.

Examiner

Kuo-Liang J Tang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 1-2 are objected to because of the following informalities:

Claim 1 and 2 recite with acronym term, e.g. COTS and Cobra, respectively. Acronym should have been spelled out once in the claim, as terminologies are likely to be changed over time. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Charisius et al. US Pub. No. 2002/0104071A1 (hereinafter Charisius).

As Per Claim 1, Charisius discloses a method and system software development tool 610 compiles, deploys, and debugs the distributed computing component with a client software component 2004. (See Abstract & FIG 20 and associated text). In that Charisius discloses the method that covering the steps of:

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“providing a COTS application server capable of receiving data in a Java Two Enterprise Edition (J2EE) compliant protocol;” (E.g., see FIG. 20 item 2006 “EJB Application Server”).

“generating data representing target information, and communicating said data to said COTS application server in the form of a Java Two Enterprise Edition (J2EE) compliant protocol;” (E.g., see FIG. 20 Client Application 2004, EJB container 2018, EJB 2002; Page 13 Section 0156 to Page 14 Section 0158).

“providing a plurality of computer processing arrangements, each of which is capable of processing Java;” (E.g., see FIG. 20 item 2004, item 2006; FIG 21; Page 3 Section 0036 and Page 13 Section 0155).

“in said application server, processing said J2EE compliant data with a plurality of Enterprise Java Beans software components, establishing those of said computer processing arrangements in which said data is processed;” (E.g., see FIG. 21 and Page 3 Section 0036, Page 13 Section 0155).

“providing said J2EE compliant data to the selected ones of said computer processing arrangements, for thereby generating processed data; (E.g., see FIG. 21 and Page 3 Section 0036, Page 14 Section 0163). and

“providing said processed data to a user.” (E.g., see FIG. 20 EJB Object Stub (browser) 2012).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Charisius et al. US Pub. No. 2002/0104071A1 (hereinafter Charisius) in view of Skufca et al. US Pub. No. 2003/0065827A1 (hereinafter Skufca).

As Per Claim 2, Charisius discloses the method that covering the steps of:

“providing a COTS application server capable of receiving data in a Java Two Enterprise Edition (J2EE) compliant protocol;” (E.g., see FIG. 20 item 2006 “EJB Application Server”).

“generating data representing target information, and communicating said data to said COTS application server in the form of a Java Two Enterprise Edition (J2EE) compliant protocol;” (E.g., see FIG. 20 Client Application 2004, EJB container 2018, EJB 2002; Page 13 Section 0156 to Page 14 Section 0158).

“providing a plurality of computer processing arrangements, each of which is capable of processing Java;” (E.g., see FIG. 20 item 2004, item 2006; FIG 21; Page 3 Section 0036 and Page 13 Section 0155).

“in said application server, processing said J2EE compliant data with a plurality of Enterprise Java Beans software components, establishing those of said computer processing

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arrangements in which said data is processed;" (E.g., see FIG. 21 and Page 3 Section 0036, Page 13 Section 0155).

"providing said J2EE compliant data to the selected ones of said computer processing arrangements, for thereby generating processed data; (E.g., see FIG. 21 and Page 3 Section 0036, Page 14 Section 0163). and

"providing said processed data to a user." (E.g., see FIG. 20 EJB Object Stub (browser) 2012).

Charisius doesn't explicitly disclose his J2EE compliant data with "a Corba software component arrangement". However, Skufca provides a mean for wrapping to multiple data source fields that include CORBA component, "a Corba software component arrangement" (E.g., Page 4 Section 0036). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made incorporate the teaching of Skufca with the method of Charisius, to use a Corba software component arrangement. The modification would have been obvious because one of ordinary skill in the art would have been motivated to do so that it would enhance the Charisius teachings and/or system with a more versatile tool for covering all of the component based.

### *Conclusion*

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuo-Liang J Tang whose telephone number is 703-305-4866.

The examiner can normally be reached on M-F 8:30 to 5:00.

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*If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q Dam can be reached on 703-305-4552.*

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9306.



**TUAN DAM  
SUPERVISORY PATENT EXAMINER**

*Kuo-Liang J. Tang*

Software Engineer Patent Examiner